

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Chirag B. Shah, et al.Application No./Patent No.: 09/138,464 Filed/Issue Date: August 21, 1998Entitled: Thromboresistant Coated Medical Device

Medtronic AVE, Inc., a Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
 The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
 in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
 [NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document)  
 must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be  
 recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

September 10, 2003Michael J. Jaro

Date

Typed or printed name

(707) 566-1746Michael J. Jaro

Telephone number

Signature

Legal Counsel/Registration No. 34,472

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Any comments including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# COPY

## Certificate Under 37 C.F.R. § 3.73(b)

Applicants: Chirag B. Shah et al.

Application No.: 09/138,464

Filed: August 21, 1998

Entitled: Thromboresistant Coating

Medtronic AVE, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest, or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A.  An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B.  A chain of title from the inventor of the patent application identified above to the current assignee as shown below:

1. From: Chirag B. Shah et al. To: C.R. Bard, Inc.

The document was recorded in the Patent and Trademark Office at Reel 9680, Frame 0275, or for which a copy thereof is attached.

2. From: C.R. Bard, Inc. To: Arterial Vascular Engineering, Inc.

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: Arterial Vascular Engineering, Inc. To: Medtronic AVE, Inc.

The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: 6/1/99

Name: Richard L. Klein

Title: Vice President

Signature: 



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APRIL 09, 1999

PTAS

FOLEY, HOAG & ELIOT LLP  
EDWARD J. KELLY  
PATENT GROUP  
ONE POST OFFICE SQUARE  
BOSTON, MA 02109-2170



\*100937928A\*

BAK-73-01

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/24/1998

REEL/FRAME: 9680/0275  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:  
SHAH, CHIRAG B.

DOC DATE: 08/18/1998

ASSIGNEE:  
WOLFGANG, LAUREL L.

DOC DATE: 08/18/1998

RECEIVED

ASSIGNEE:  
C.R. BARD, INC.  
730 CENTRAL AVENUE  
MURRAY HILL, NEW JERSEY 07974

APR 20 1999

SERIAL NUMBER: 09138464  
PATENT NUMBER:

FILING DATE: 08/21/1998  
ISSUE DATE:

F.H. & E. LLP

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-11-1999

Form PTO-1595

RECORD  
PA(Rev. 6/93)  
OMB No. 0651-0011 (exp. 4/94)

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

100937928

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Chirag B. Shah and Laurel L. Wolfgang

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment  Merger Security Agreement  Change of Name Other \_\_\_\_\_

Execution Date: August 18, 1998

## 2. Name and address of receiving party(ies)

Name: C.R. Bard, Inc.

Internal Address: \_\_\_\_\_

Street Address: 730 Central Avenue

City: Murray Hill State: NJ Zip: 07974

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 09/138,464

B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Patent Group

Internal Address: Foley, Hoag &amp; Eliot LLP

Street Address: One Post Office Square

City: Boston State: MA ZIP: 02109-2170

## 6. Total number of applications and patents involved: (One)

## 7. Total fee (37 CFR 3.41).....\$ PREVIOUSLY PAID

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

06-1448

(Attached duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Edward J. Kelly, Reg. No. 38,936

Name of Person Signing and Reg. No.

Signature

Total number of pages including cover sheet, attachments, and document: (6)

January 4, 1998

Date

Mail documents to be recorded with required covered sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

317918.1

8-24-98

08-28-1998

Form PTO-1395

(Rev. 6/93)

OMB No. 0651-0011 (exp. 4/94)



100805501

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## 1. Name of conveying party(ies):

Chirag B. Shah and Laurel L. Wolfgang

Additional name(s) of conveying party(ies) attached? ( ) Yes (X) No

## 3. Nature of conveyance:

(X) Assignment ( ) Merger

( ) Security Agreement ( ) Change of Name

( ) Other \_\_\_\_\_

Execution Date: August 18, 1998

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B. Patent No.(s)

Additional numbers attached? ( ) Yes (X) No

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Internal Address: Foley, Hoag &amp; Eliot LLP

Street Address: One Post Office Square

City: Boston State: MA ZIP: 02109-2170

## 6. Total number of applications and patents involved: (One)

7. Total fee (37 CFR 3.41).....\$ 40.00

(X) Enclosed

( ) Authorized to be charged to deposit account

## 8. Deposit account number:

06-1448

(Attached duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Charles C. Cella, Reg. No. 38,099

Name of Person Signing and Reg. No.

Signature  
Charles C. Cella

Total number of pages including cover sheet, attachments, and document: (3)

August 21, 1998  
DateMail documents to be recorded with required covered sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

317918.1

**ASSIGNMENT**

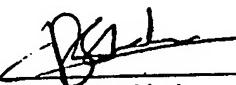
WHEREAS Chirag B. Shah, of Nashua, New Hampshire, and Laurel L. Wolfgang, of Townsend, MA, has developed certain inventions described in a patent application titled **THROMBORESISTANT COATING** and executed on even date herewith, having full right to convey their entire right, title and interest, both legal and equitable, in and to said inventions, free from all prior assignments, agreements, licenses, mortgages, security interests, or other encumbrances whatsoever; and

WHEREAS, C.R. Bard, Inc. ("Assignee"), of 730 Central Avenue, Murray Hill, New Jersey, 07974, a corporation organized and existing under the laws of New Jersey, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the undersigned, the undersigned do hereby sell, assign, transfer and set over unto said Assignee, its successors and assigns, their entire right, title and interest throughout the world in and to said invention or inventions, as described in the aforesaid application, in any form or embodiment thereof, and in and to the aforesaid application; and in and to any application filed in any foreign country based thereon, including the right to file said foreign applications and claim priority under the provisions of any international convention or treaty; also the entire right, title and interest throughout the world in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention or inventions and any divisional, continuation, continuation-in-part or substitute applications which may be filed upon said invention or inventions in this or any foreign country; and the undersigned hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Assignee or its successors and assigns.

The undersigned further agree, without any further payment or compensation by said Assignee or its successors and assigns, to communicate to said Assignee, its representatives or agents or its successors and assigns, any facts relating to said invention or inventions including evidence for interference purposes or for other legal proceedings whenever requested; testify in any interference or other legal proceedings, whenever requested; execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective; and generally do everything possible to aid said Assignee, its successors or assigns and nominees to secure, obtain and enforce proper patent protection for said invention or inventions in this or any foreign country.

IN TESTIMONY WHEREOF, the undersigned have hereunto set their hands and seals on the date after their signatures.

  
Chirag B. Shah

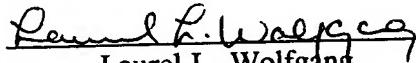
August 18, 1998  
(Date)

State of Massachusetts )  
County of Middlesex )

On this the 18<sup>th</sup> day of August, 1998 before me personally appeared Chirag B. Shah to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

  
Notary Public  
My commission expires April 23, 2004

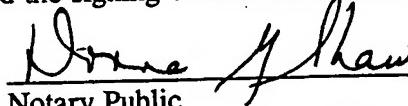
IN TESTIMONY WHEREOF, the undersigned have hereunto set their hands and seals on the date after their signatures.

  
Laurel L. Wolfgang

August 18, 1998  
(Date)

State of Massachusetts )  
County of Middlesex )

On this the 18<sup>th</sup> day of August, 1998 before me personally appeared Laurel L. Wolfgang to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

  
Notary Public  
My commission expires April 23, 2004



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 23, 1999

PTAS

MEDTRONIC AVE, INC  
RICHARD L. KLEIN  
3576 UNOCAL PLACE  
SANTA CLARA, CA 95403



\*101046966A\*

AUG 9 2 1999

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RECORDATION DATE: 05/18/1999

REEL/FRAME: 009964/0655  
NUMBER OF PAGES: 5

BRIEF: MERGER (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MAV MERGER CORPORATION

DOC DATE: 01/28/1999

ASSIGNOR:

ARTERIAL VASCULAR ENGINEERING, INC

DOC DATE: 01/28/1999

ASSIGNEE:

MEDTRONIC AVE, INC  
3576 UNOCAL PLACE  
SANTA ROSA, CALIFORNIA 95403

SERIAL NUMBER: 09138464  
PATENT NUMBER:

FILING DATE: 08/21/1998  
ISSUE DATE:

ANTIONE ROYALL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECORDATION FORM COVER SHEET  
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  1. MAV Merger Corporation  2. Arterial Vascular Engineering, Inc.		2. Name and address of receiving party(ies):  Name: Medtronic AVE, Inc.  Street Address: 3576 Unocal Place  City: Santa Rosa State: CA Zip Code: 95403  Country: United States  Additional name(s) & address(es) attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no
3. Nature of Conveyance:  <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____		Execution Date(s): January 28, 1999
4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is  A. Patent Application No(s). 1. 09/138,464      B. Patent No(s).		
Additional numbers attached? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no		
5. Name and address of party to whom correspondence concerning document should be mailed:  Name: Medtronic AVE, Inc.  Internal Address: c/o Richard L. Klein  Street Address: 3576 Unocal Place  City: Santa Rosa State: CA Zip Code: 95403		6. Total number of applications and patents involved  1  7. Total fee (37 C.F.R. § 3.41).....\$ <u>40.00</u>  <input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to Deposit Account  8. Deposit Account Number: 19-0036
DO NOT USE THIS SPACE		
9. Statement and signature.  To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.		
Tracy-Gene G. Durkin Name of Person Signing Registration No. 32,831		 Signature Date <u>5/18/99</u> Total number of pages including cover sheet, attachments and document <u>5</u>
OMB NO. 0651-0011 (exp.4/94)		
Mail documents to be recorded with required cover sheet information to: Commissioner of Patents and Trademarks, Box Assignments Washington, D.C. 20231		

State of Delaware  
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"MAV MERGER CORP.", A DELAWARE CORPORATION,  
WITH AND INTO "ARTERIAL VASCULAR ENGINEERING, INC." UNDER  
THE NAME OF "MEDTRONIC AVE, INC.", A CORPORATION ORGANIZED AND  
EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED  
AND FILED IN THIS OFFICE THE TWENTY-EIGHTH DAY OF JANUARY, A.D.  
1999, AT 3 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE  
NEW CASTLE COUNTY RECORDER OF DEEDS.

2269660 8100M

991035130



*Edward J. Freel*  
Edward J. Freel, Secretary of State

AUTHENTICATION: 9547248

DATE: 01-28-99

FROM RICHARDS, LAYTON & FINGER #10

STATE OF DELAWARE  
SAC 100061076 SEP 2  
(WED) 1. 28' 93 15:03/ST. 15:03/01/28/1999  
DIVISION OF CORPORATIONS  
FILED 03:00 PM 01/28/1999  
991035130 - 2269660

CERTIFICATE OF MERGER  
OF  
MAV MERGER CORP.  
INTO  
ARTERIAL VASCULAR ENGINEERING, INC.

The undersigned corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST, That the name and state of incorporation of each of the constituent corporations of the merger is as follows:

<u>Name</u>	<u>State of Incorporation</u>
Arterial Vascular Engineering, Inc.	Delaware
MAV Merger Corp.	Delaware

SECOND: That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of subsection (c) of Section 251 of the General Corporation Law of the State of Delaware.

THIRD: That the name of the surviving corporation of the merger is Arterial Vascular Engineering, Inc., which upon the merger will change its name to "Medtronic AVE, Inc."

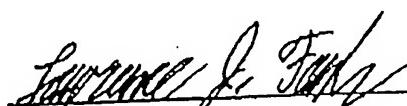
FOURTH: That the restated certificate of incorporation of the surviving corporation shall, as a result of the merger, be amended and restated in its entirety to read as set forth on Exhibit A hereto.

FIFTH: That the executed Agreement and Plan of Merger is on file at an office of the surviving corporation. The address of such office of the surviving corporation is 3576 Unocal Place, Santa Rosa, California 95403.

SIXTH: That a copy of the Agreement and Plan of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

ARTERIAL VASCULAR ENGINEERING, INC.

By:

  
\_\_\_\_\_  
Lawrence J. Fassler  
Vice President of Legal Affairs, General Counsel and  
Secretary

AMENDED AND RESTATED CERTIFICATE OF INCORPORATION  
OF  
ARTERIAL VASCULAR ENGINEERING, INC.

ARTICLE 1 - NAME

The name of the corporation shall be Medtronic AVE, Inc.

ARTICLE 2 - REGISTERED OFFICE AND AGENT

The registered office of the corporation in the State of Delaware is 1209 Orange Street, in the City of Wilmington, County of New Castle, Delaware, 19801. The name of its registered agent at such address is The Corporation Trust Company.

ARTICLE 3 - PURPOSES

The nature of the business or purposes to be conducted or promoted by the corporation is to engage in any lawful acts and activities for which corporations may be organized under the General Corporation Law of Delaware.

ARTICLE 4 - STOCK

The aggregate number of shares the corporation has authority to issue shall be 2,500 shares of Common Stock, \$.01 par value. Holders of Common Stock shall be entitled to one vote for each share of Common Stock held of record.

ARTICLE 5 - RIGHTS OF STOCKHOLDERS

5.1) No Preemptive Rights. No holder of shares of the corporation of any class now or hereafter authorized has any preferential or preemptive right to subscribe for, purchase or receive any shares of the corporation of any class now or hereafter authorized, or any options or warrants for such shares, which may at any time be issued, sold or offered for sale by the corporation.

5.2) No Cumulative Voting Rights. No holder of shares of the corporation of any class now or hereafter authorized shall be entitled to cumulative voting.

ARTICLE 6 - MEETINGS AND BOOKS

6.1) Meetings of Stockholders and Election of Directors. Meetings of stockholders may be held within or outside the State of Delaware, as the Bylaws may provide. Elections of directors need not be by written ballot unless and except to the extent that the Bylaws so provide.

6.2) Corporate Books. The books of the corporation may be kept within or (subject to any provision contained in the statutes) outside the State of Delaware at such place or places as may be designated from time to time by the Board of Directors or in the Bylaws of the corporation.

ARTICLE 7 - LIMITATION OF DIRECTOR LIABILITY

7.1) Limitation of Liability. A director of the corporation shall not be personally liable to the corporation or its stockholders for monetary damages for any breach of fiduciary duty as a director, except for liability (i) for any breach of the director's duty of loyalty to the corporation or its stockholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) under Section 174 of the Delaware General Corporation Law, or (iv) for any transaction from which the director derived an improper personal benefit. If the Delaware General Corporation Law is amended after approval by the stockholders of this Article to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director shall be eliminated or limited to the fullest extent permitted by the Delaware General Corporation Law, as so amended.

7.2) Amendment of this Article. Any repeal or modification of this Article 7 shall be prospective and shall not affect the rights under this Article 7 in effect at the time of the alleged occurrence of any act or omission to act giving rise to liability or indemnification.

ARTICLE 8 - BYLAWS

The Board of Directors is expressly authorized to make and alter Bylaws of this corporation, subject to the power of the stockholders to change or repeal such Bylaws and subject to any other limitations on such authority provided by the General Corporation Law of Delaware.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 23, 1999

PTAS



\*101046967A\*

MEDTRONIC AVE, INC.  
RICHARD J. KLEIN  
3576 UNOCAL PLACE  
SANTA ROSE, CA 95403

JUL 30 1999

UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 05/18/1999

REEL/FRAME: 009964/0643  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
C.R. BARD, INC.

DOC DATE: 10/01/1998

ASSIGNEE:  
MEDTRONIC AVE, INC.  
3576 UNOCAL PLACE  
SANTA ROSE, CALIFORNIA 95403

SERIAL NUMBER: 09136464  
PATENT NUMBER:

FILING DATE: 08/21/1998  
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SHARON LATIMER, EXAMINER  
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PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

C.R. Bard, Inc.

Additional name(s) of conveying party(ies) attached?  yes  no

## 3. Nature of Conveyance:

- Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

Execution Date(s): October 1, 1998

## 2. Name and address of receiving party(ies):

Name: Medtronic AVE, Inc.

Street Address: 3576 Unocal Place

City: Santa Rosa State: CA Zip Code: 95403

Country: United States

Additional name(s) & address(es) attached?  yes  no

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is

A. Patent Application No(s). 1. 09/138,464

B. Patent No(s).

Additional numbers attached?  yes  no

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Medtronic AVE, Inc.

Internal Address: c/o Richard L. Klein

Street Address: 3576 Unocal Place

City: Santa Rosa State: CA Zip Code: 95403

6. Total number of applications and patents involved

1

7. Total fee (37 C.F.R. § 3.41).....\$ 40.00 Enclosed Authorized to be charged to Deposit Account

8. Deposit Account Number: 19-0036

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Tracy-Gene G. Durkin

Name of Person Signing  
Registration No. 32,831*Tracy Durkin*

Signature

*5/18/99*

Date

Total number of pages including cover sheet, attachments and document 6

OMB NO. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks, Box Assignments  
Washington, D.C. 20231

BARD PATENT ASSIGNMENT

THIS ASSIGNMENT, made this 1st day of October, 1998 by and between C. R. Bard, Inc., a New Jersey corporation, having a place of business at 730 Central Avenue, Murray Hill, New Jersey 07974 (hereinafter referred to as "ASSIGNOR"), and Arterial Vascular Engineering, Inc., a Delaware corporation, having a place of business at 3576 Unocal Place, Santa Rosa, California 95403 (hereinafter referred to as "ASSIGNEE").

W I T N E S S E T H :

WHEREAS, ASSIGNOR is the owner of the worldwide right, title and interest in and to certain patents and patent applications set forth on Schedule 1.1(b)(ix) of that certain Stock and Asset Purchase Agreement entered into between ASSIGNOR and ASSIGNEE on July 9, 1998, that Schedule modified by an August 31, 1998 Letter Amendment between ASSIGNOR and ASSIGNEE.

WHEREAS, Schedule A, attached hereto and made part of this Assignment, lists those patents and patent applications owned by ASSIGNOR, as reflected by Schedule 1.1(b)(ix) and as modified by the August 31, 1998 Letter Amendment (hereinafter as listed on Schedule A, "Bard Patent Rights").

WHEREAS, ASSIGNEE, by virtue of the Stock and Asset Purchase Agreement, is desirous of acquiring ASSIGNOR'S worldwide right, title and interest in and to said Bard Patent Rights, together with any and all patents throughout the world resulting therefrom;

NOW, THEREFORE, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR does

hereby assign and transfer unto ASSIGNEE ASSIGNOR'S worldwide right, title and interest  
in and to said Bard Patent Rights and in and to all letters patents, United States and foreign,  
that may be granted therefrom, and the right to recover damages for past infringement  
thereunder, the same to be held and enjoyed by ASSIGNEE and its successors and assigns, as  
fully and entirely as the same would have been held and enjoyed by ASSIGNOR if this  
Assignment and sale had not been made;

AND ASSIGNOR hereby authorizes and requests the United States Patent and  
Trademark Office, together with any and all officials of countries foreign to the United States  
whose duty it is to issue patents in those countries, to issue said letters patent, United States  
and foreign, in accordance with this Assignment;

AND for the consideration aforesaid, ASSIGNOR further covenants and agrees  
that it will, whenever reasonably requested, but without cost to itself, execute such papers that  
may be reasonably necessary to enable ASSIGNEE or its representatives, successors,  
nominees, or assigns to secure full and complete protection for said Bard Patent Rights  
hereby conveyed, or that may be reasonably necessary to vest in ASSIGNEE the complete  
title to said Bard Patent Rights hereby conveyed, and enable it to record said title.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as  
of the date and year first written above.

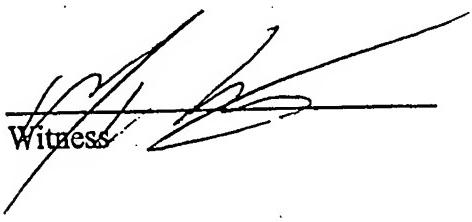
Signed and delivered for  
and on behalf of the said  
C. R. Bard, Inc.

in the presence of:

  
Witness

Signed and delivered for  
and on behalf of the said  
Arterial Vascular Engineering, Inc.

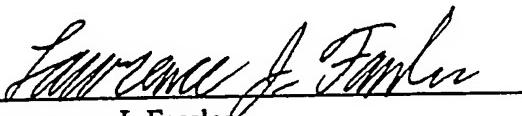
in the presence of:

  
Witness

) C. R. BARD, INC.

  
Richard A. Flink  
Senior Vice President, General Counsel  
and Secretary

) ARTERIAL VASCULAR ENGINEERING,  
INC.

  
Lawrence J. Fassler  
Vice President, General Counsel and  
Secretary

Schedule A

Patent ASSETS of C. R. Bard, Inc.

Joint F. Crummie September 21, 1998

EXPIRATION DATE

COUNTRY

DATE ISSUED

APPL NUMBER

TITLE

FILE NUMBER

COMMENTS

**REDACTED**

FILE NUMBER

TITLE

APPL NUMBER

DATE FILED    PATENT NUMBER    DATE ISSUED

**REDACTED**

Thromboresistant Coating and  
Method of Application

Waiting #

08/21/1998

United States

**REDACTED**

190-PDD-98-02  
BAK-073.01